

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

STEPHANIE LUKIS, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

WHITEPAGES, INC.,

Defendant.

No. 1:19-cv-04871

Judge Gary Feinerman

Mag. Judge Jeffrey T. Gilbert

**WHITEPAGES, INC.'S MOTION FOR LEAVE TO UNSEAL AND FILE
UNREDACTED VERSIONS OF CERTAIN FILINGS ON THE PUBLIC DOCKET**

Defendant Whitepages, Inc. (“Whitepages”), through the undersigned counsel, moves for leave to unseal and file unredacted versions of certain filings on the public docket. In support, Whitepages states as follows:

1. On January 5, 2021, Whitepages began the deposition of plaintiff Stephanie Lukis. That deposition continued on January 13, 2021.
2. Pursuant to the Protective Order in this case, deposition testimony is to be treated as confidential for 14 days after delivery of the transcript to a witness. (ECF No. 86 at 3-4.) After expiration of 14 days, confidentiality is waived unless specific testimony is designated confidential. (*Id.*)
3. The 14-day period for Lukis’s first deposition session expired no later than January 22, 2021. The 14-day period for Lukis’s second deposition session expired no later than January 29, 2021.

4. Before the expiration of those 14-day periods, and purely as a precautionary measure, Whitepages filed under seal certain documents that quoted or paraphrased Lukis's deposition testimony, including:

(a) Whitepages' Memorandum in Support of its Motion to Strike Class Allegations and Counsel, including Exhibits A, C, and D (ECF Nos. 121, 121-1, 121-2, and 121-3);

(b) Whitepages' Opposition to Plaintiff's Motion to Amend the Complaint, including Exhibits H and I (ECF Nos. 124, 124-1, 124-2); and

(c) Whitepages' Reply in Support of its Motion to Dismiss or Transfer Based on Arbitrability. (ECF No. 132.)

5. Whitepages also filed redacted versions of those briefs and exhibits, where possible, on the public docket. (*See* ECF Nos. 122, 125, 131.)

6. Neither Lukis nor Whitepages designated any portion of Lukis's deposition testimony as confidential pursuant to the Protective Order before the expiration of either 14-day period. Accordingly, the entirety of Lukis's deposition testimony is deemed not confidential and not subject to the restrictions contained in the Protective Order.

7. Accordingly, Whitepages seeks leave to file unsealed and unredacted versions of those filings on the public docket.

WHEREFORE, Whitepages respectfully requests that Court unseal the documents filed at ECF Nos. 121, 121-1, 121-2, 121-3, 124, 124-1, 124-2, and 132, and grant Whitepages leave to file unredacted versions of those documents on the public docket.

Respectfully submitted,

WHITEPAGES, INC.

By: /s/ Blaine C. Kimrey

One of its attorneys

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Dated: February 2 , 2021

CERTIFICATE OF SERVICE

I hereby certify that on February 2, 2021, a copy of the foregoing was electronically filed in the ECF system. Notice of this filing will be sent to the parties of record by operation of the Court's electronic filing system.

/s/ Blaine C. Kimrey

Blaine C. Kimrey